

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GOVERNMENT EMPLOYEES INSURANCE CO., GEICO
INDEMNITY CO., GEICO GENERAL INSURANCE CO.,
and GEICO CASUALTY CO.,

Plaintiffs,

-against-

MICHAEL D. GREEN, M.D., CLIFFORD BEINART, M.D.,
VISTA MEDICAL DIAGNOSTIC IMAGING, P.C., TOTAL
GLOBAL MEDICAL, P.C., IMAGING ASSOCIATES OF
FIVE BOROUGHHS, L.L.C., FIVE COUNTY IMAGING
HOLDINGS, L.L.C., ASAFAF YEVDAYEV, RAPUZZI,
PALUMBO, & ROSENBERGER, P.C., PATRICIA
RAPUZZI and DANNY MONTANEZ.

Defendants.

REPLY TO
PLAINTIFF'S FIRST
REQUEST FOR
PRODUCTION OF
DOCUMENTS TO
DEFENDANT
DANNY MONTANEZ

Civil Action No.:
10-CV-2671

-----X
Defendant, Danny Montanez, hereby replies to Plaintiff's First Request for
Production of Documents, pursuant to Rule 26 and 34 of the Federal Rules of Civil
Procedure and Local Civil Rule 26.3, as follows:

1. Defendant, Danny Montanez, does not have the requested documents in
his custody, possession or control.
2. Defendant, Danny Montanez, does not have the requested documents in
his custody, possession or control.
3. Defendant, Danny Montanez, does not have the requested documents in
his custody, possession or control.
4. Defendant, Danny Montanez, hereby objects to production of Federal and
New York State income tax returns prepared since 2001 as production of said documents
are not reasonably calculated to lead the discovery of admissible evidence.

5. Defendant, Danny Montanez, hereby objects to production of all federal and state quarterly payroll tax returns prepared and/or filed by an entity associated with him as production of said documents are not reasonably calculated to lead the discovery of admissible evidence.

6. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

7. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

8. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

9. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

10. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

11. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

12. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

13. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

14. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

15. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

16. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

17. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

18. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

19. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

20. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

21. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

22. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

23. Defendant, Danny Montanez, does not have the requested documents in his custody, possession or control.

24. Defendant, Danny Montanez, does not have the requested documents.

25. Defendant, Danny Montanez, does not have the requested documents.

26. Defendant, Danny Montanez, does not have the requested documents.

27. Defendant, Danny Montanez, does not have the requested documents.

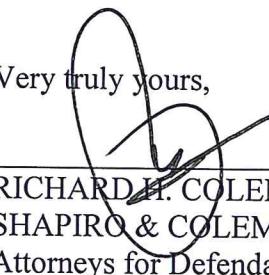
28. Defendant, Danny Montanez, does not have the requested documents.

29. At the present, defendant, Danny Montanez, does not have in his custody, possession or control any evaluations or analyses by a document examiner/expert but will disclose such information to plaintiffs' counsel upon receipt thereof.

30. See Defendant, Danny Montanez's Reply to First Set of Interrogatories.

Dated: N. Massapequa, NY
April 11, 2012.

Very truly yours,


RICHARD H. COLEMAN, ESQ. (RHC-7193)
SHAPIRO & COLEMAN, P.C.
Attorneys for Defendant-MONTANEZ
727 N. Broadway
N. Massapequa, NY 11758
(516) 798-7800

TO:

IMAGING ASSOCIATES OF FIVE BOROUGHHS, LLC, FIVE COUNTY IMAGING HOLDINGS, LLC AND ASAFAF YEVDAYEV
119-60 Metropolitan Avenue
Kew Gardens, NY 11415

RIVKIN RADLER, LLP
Attorney for Plaintiff
926 RXR Plaza
Uniondale, NY 11556

Attn: Max Gershenoff, Esq.

VERIFICATION

STATE OF NEW YORK)
ss.:
COUNTY OF NASSAU)

DANNY MONTANEZ, being duly sworn, deposes and says:

I am one of the plaintiffs in the within action and have read the foregoing **REPLY**
TO PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT

DANNY MONTANEZ and know the contents thereof; and the same is true to
deponent's own knowledge, except as to the matters therein stated to be alleged upon
information and belief, and as those matters deponent believes it to be true.



DANNY MONTANEZ

Sworn to before me on the

11 day of April, 2012.

RICHARD M. COLEMAN
Notary Public, State of New York
No. 02CO4672007
Qualified in Nassau County
Commission Expires March 30, 20

Notary Public

State of New York, County of Nassau

, ss:

On the 11 day of April in the year 2012, before me, the undersigned, personally
appeared Danny Montanez, personally known to me or proved to me on the basis of
satisfactory evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
capacity, and that by his signature on the instrument, the individual, or the person upon
behalf of which the individual(s) acted, executed the instrument.



RICHARD M. COLEMAN
Notary Public, State of New York
No. 02CO4672007
Qualified in Nassau County
Commission Expires March 30, 2014